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Notice of Allowability

Application No.

10/719,821

Examiner

Robert J. Hoffberg

Applicant(s)

NISHIYAMA ET AL.

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/26/06.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


LYNN FEILD

**SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**

Detailed Action***Allowable Subject Matter***

1. Claims 1-18 are allowed.

The following is an examiner's statement of reasons for allowance: The allowability resides in the overall structure of the apparatus as recited in independent claim 1, and at least in part, because claim 1 recites a casing; a vent in the ceiling of the casing; a first (upper stage) accommodating electronic device box (hereafter first box); a second (lower stage) accommodating electronic device box (hereafter second box); a hollow duct in the first box with a first end facing the vent and a second facing the second box; an air path from the second box passing through the inside of the duct; and an air path from the first box passing along exterior to the outer walls the duct. See applicant's Figure 15.

The closest references to the present invention are believed to be as follows:

Andersson et al. (US 5,398,158) and Sugiyama et al. (US 6,052,282) teach first and second boxes in a casing with a vent in the ceiling but teach a duct adjacent to (not within) the first box to permit an air path from the second box to the vent. Andersson et al. further teaches the arrangement of boxes not only in a vertical, but also side-by-side and back-to-back horizontally positions.

Fukuda et al. (US 6,927,980) teaches first and second boxes in a casing with a vent in a ceiling but teaches a common duct serving both boxes. Fukuda et al. further teaches a central duct servicing two sets of first and second boxes arranged in a side-by-side position.

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Garnett et al. (US 6,778,386) teaches first and second boxes arranged in a horizontal manner in a casing with a duct passing through the first box arranged in a horizontal but does not teach the first box above the second box.

Mistry et al. (US 5,832,988) and Drier et al. (US 6,119,768) teach first and second boxes a duct and a vent in a casing but does not teach an air path from the first box discharging through a vent in the ceiling of the casing.

Moizer (US 6,678,156) and Coglitore (US 2005/0168945) teach first and second boxes in a casing but teach a common duct serving both boxes. Coglitore further teaches a central duct servicing two sets of first and second boxes arranged in a side-by-side position.

Koike (US 5,544,012) teaches first and second boxes and a duct in a casing having a combined air path from both boxes and a vent that is not in the ceiling.

Smith (US 6,198,628) teaches first and second boxes in a casing with a vent in the ceiling but does not teach a duct.

Okuyama et al. (US 4,774,631) teaches first and second boxes in a casing but does not teach a duct.

None of the cited references, either taken alone or in combination is believed to render the present invention unpatentable as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Response to Arguments

2. Amended abstract, specification and claims are acceptable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH

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LYNN FEILD
SUPERVISORY PATENT EXAM.
TECHNOLOGY CENTER 2835